IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.7413 OF 2005

Gautam Educational Trust & Anr. ...Petitioners.
Vs.
The State of Maharashtra & Ors. ...Respondents.
....
Mr. C. K. Thamas i/b. C.K. Thomas & Associates for the Petitioners.
Mr.A. A. Kumbhakoni, Associate Advocate General with Mr. V. P. Malvankar, AGP for Respondent No.1.
Mr. Uday P. Warunjikar for Respondent No.3.
Mr. B.V. Phadnis for Respondent No.2.
.....

CORAM : F.I. REBELLO, J. AND
DR.D.Y.CHANDRACHUD, J.

October 27, 2005.

P.C.

Rule. Heard forthwith. Notice waived on behalf of the Respondents.

2. Respondent No.3 by their communication dated 29th March 2005/1st April 2005 had written to the Principal of the Petitioner College that the institution does not fulfill the norms and standards as notified by NCTE on two counts. Firstly, no objection certificate/endorsement from concerned State Government and (2)

Fixed Deposit Receipt in original for Rs.5.00 lakhs towards Endowment Fund.

3. In so far as the first requirement is concerned that is for the State Government to comply with. In the instant case the University has already recommended their case. Considering that the State Government is directed to give their No Objection Certificate/Endorsement within a period of six weeks and communicate the same to the Petitioners and Respondent No.3.

4. On behalf of the Petitioners learned Counsel states that in so far as second requirement is concerned on receipt of the No Objection Certificate/Endorsement they will furnish the Fixed Deposit Receipt in a sum of Rs.5 lakhs within four weeks thereafter.

5. NCTE is thereafter directed to consider the proposal of the Petitioner and dispose of the same according to law.

6. Rule made absolute accordingly. No order as to costs.

(F.I. Rebello, J.)

(Dr. D.Y. Chandrachud, J.)